

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Rule making related to permitted weapons for wild turkey hunting

The Natural Resource Commission (Commission) hereby amends Chapter 98, “Wild Turkey Spring Hunting,” and Chapter 99, “Wild Turkey Fall Hunting,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.39 and 481A.48.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 481A.38, 481A.39 and 481A.48 and section 483A.7 as amended by 2022 Iowa Acts, Senate File 2334.

Purpose and Summary

Chapter 98 regulates spring wild turkey hunting for both residents and nonresidents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation tag requirements.

Chapter 99 regulates fall wild turkey hunting for residents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation tag requirements.

This rule making amends both chapters as required by recent legislation. 2022 Iowa Acts, Senate File 2334 (signed by Governor Reynolds on May 24, 2022), authorized the use of a caliber .410 shotgun or a 28-gauge shotgun for hunting turkey. It further required that a caliber .410 shotgun or a 28-gauge shotgun only shoot shot not smaller than shot size number 10. These requirements are added to both chapters.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 5, 2022, as **ARC 6578C**. A public hearing was held on October 25, 2022, at 12 noon via video/conference call. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commission on December 8, 2022.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. A copy of the fiscal impact statement is available from the Department of Natural Resources (Department) upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on February 15, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend paragraph **98.2(1)“a”** as follows:

a. Combination shotgun-or-archery license. Wild turkey may be taken by shotgun or muzzleloading shotgun not smaller than ~~20-gauge~~ caliber .410 and shooting only shot sizes number 4 through & 10 lead or nontoxic shot; and by bow and arrow as defined in paragraph 98.2(1) “b.” A person shall not have shotshells containing shot of any size other than number 4 through & 10 lead or nontoxic shot on the person while hunting wild turkey.

ITEM 2. Amend subrule 98.12(1) as follows:

98.12(1) Permitted weapons. Wild turkey may be taken only with shotguns and muzzleloading shotguns not smaller than ~~20-gauge~~ caliber .410 and shooting only shot sizes number 4 through & 10 lead or nontoxic shot. No person may have shotshells containing shot of any size other than number 4 through & 10 lead or nontoxic shot on the person while hunting wild turkey. Except for crossbows for persons with certain afflictions of the upper body, as provided in 571—15.22(481A), only longbow, compound, or recurve bows shooting broadhead arrows are permitted. Blunthead arrows with a minimum diameter of 9/16 inch may also be used. Arrows must be at least 18 inches long. No explosive or chemical devices may be attached to the arrow, broadhead, or blunthead.

ITEM 3. Amend subrule 99.8(1) as follows:

99.8(1) Permitted weapons. In accordance with the type of license issued, wild turkey may be taken by shotgun and muzzleloading shotgun not smaller than ~~20-gauge~~ caliber .410 and shooting only shot sizes number 4 through & 10 lead or nontoxic shot; and by longbow, recurve, or compound bow shooting broadhead or blunthead (minimum diameter 9/16 inch) arrows only. No person may carry or have in possession shotshells containing shot of any size other than number 4 through & 10 lead or nontoxic shot while hunting wild turkey. Arrows with chemical or explosive pods are not permitted.

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